

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STACY VANDERHOOF,

Plaintiff,

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COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

CASE NO. 3:19-cv-05899-JRC

ORDER ON STIPULATED
MOTION FOR EQUAL ACCESS
TO JUSTICE ACT FEES AND
EXPENSES

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73, and Local

Magistrate Judge Rule MJR 13. *See* Consent to Proceed Before a United States Magistrate Judge,

Dkt. 3. This matter is before the Court on plaintiff's motion for attorney fees under the Equal

¹⁰ Access to Justice Act, 28 U.S.C. § 2412 (“EAJA”). See Dkt. 44. The motion is stipulated. *Id.*

Based on the EAJA, the stipulation of the parties, the attorney declaration and time and

Based on the EAJA, the stipulation of the parties, the attorney declaration and time and

expense itemizations (Dkt. 44-3), and the relevant record, it is hereby ORDERED that EAJA

attorney's fees of \$7,425.48 and expenses in the amount of \$2.44, shall be awarded to plaintiff

pursuant to the EAIA and consistent with *Astrue v. Ratliff*, 560 U.S. 586, 588–89 (2010).

1 It is further ORDERED that costs in the amount of \$949.20 shall be awarded to plaintiff
2 pursuant to 28 U.S.C. § 1920.

3 The Commissioner shall contact the Department of Treasury after the Order for EAJA
4 fees is entered to determine if the EAJA fees are subject to any offset. If it is determined that
5 plaintiff's EAJA fees are not subject to any offset allowed pursuant to the Department of the
6 Treasury's Offset Program, then the check for EAJA fees shall be made payable to Elie Halpern,
7 based on plaintiff's assignment of these amounts to plaintiff's attorney. *See* Dkt. 44-4. If there is
8 an offset, the remainder shall be made payable to plaintiff, based on the practice of the
9 Department of the Treasury. *See, e.g.*, Case No. 2:15-cv-122, Dkt. 22, at 4. Any check for EAJA
10 fees shall be mailed to plaintiff's counsel, Elie Halpern, at Halpern Olivares PLLC, 2102
11 Carriage Drive SW, Building E102, Olympia, WA 98502.

12 Dated this 12th day of November, 2021.

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15 J. Richard Creatura
16 Chief United States Magistrate Judge
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